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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,503	08/15/2001	Tetsufumi Tsuzaki	50395-102	8232

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EXAMINER

CUNNINGHAM, STEPHEN C

ART UNIT

PAPER NUMBER

3663

DATE MAILED: 10/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/929,503	TSUZAKI ET AL.
	Examiner	Art Unit
	Stephen C. Cunningham	3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 July 2003.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3 and 5-15 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 5 and 8 is/are allowed.

6) Claim(s) 1, 6, 7, and 9-15 is/are rejected.

7) Claim(s) 2 and 3 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 15 August 2001 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 4, 6, 9, 12, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Watanabe '984.

With respect to claim 1, Watanabe teach a gain module comprising:  
a first optical fiber having a composition in its optical region,  
a second optical fiber having another composition in its optical

region, and

one or more pump light sources which supply pump light for Raman amplification to each of the first and second optical fibers,

wherein the first and second optical fibers are connected in series and having different wavelength ranges for amplification, and

through the first and second optical fibers signal lights are amplified by stimulated Raman scattering.

See column 9, lines 54-67; column 22, lines 54-66; column 23, lines 1-59; column 24, lines 34-52; and figures 1, 2, 8, and 9. Watanabe

teaches transmission line comprised of a series of concatenated optical fiber sections having varying mode field diameters. Mode field diameter is dependent on fiber composition. The difference in stokes shift quantity is dependent on the compositions of the optical fibers. It is inherent that that for a single wavelength there will be at least two fiber sections with differing bands of amplification.

With respect to claim 4, Watanabe teaches that the fibers are connected in series, see figures 1 and 2.

With respect to claim 6, Watanabe teaches that the fibers are pumped by substantially the same wavelengths, see column 22, lines 55-66. Watanabe foresees loss compensation by distributed Raman amplification which entails pumping a transmission line to provide gain.

With respect to claim 9, Watanabe teaches an optical region of at least one of the optical fibers is doped with  $\text{GeO}_2$ . See column 24, lines 34-52.

With respect to claim 12, Watanabe teaches an optical communication system comprising optical transmission lines and one or more pump light sources; and

wherein the optical transmission lines comprise a plurality of optical fibers with optical regions of different compositions. See column 9, lines 54-67; column 22, lines 54-66; column 23, lines 1-59; column 24, lines 34-52; and figures 1, 2, 8, and 9. Watanabe teaches transmission line

comprised of a series of concatenated optical fiber sections having varying mode field diameters. Mode field diameter is dependent on fiber composition. The difference in stokes shift quantity is dependent on the compositions of the optical fibers. It is inherent that for a single wavelength there will be at least two fiber sections with differing bands of amplification. It would have been obvious to one of ordinary skill in the art to modify the glass composition of the optical fibers in order to control the mode field diameter profile of the transmission line.

With respect to claim 13, Watanabe teaches a communication system comprising:

a plurality of optical fibers which differ from each other with respect to composition; and

one or more pump light sources which supply pump light for Raman amplification.

See column 9, lines 54-67; column 22, lines 54-66; column 23, lines 1-59; column 24, lines 34-52; and figures 1, 2, 8, and 9. Watanabe teaches transmission line comprised of a series of concatenated optical fiber sections having varying mode field diameters. Mode field diameter is dependent on fiber composition. The difference in stokes shift quantity is dependent on the compositions of the optical fibers. It is inherent that for a single wavelength there will be at least two fiber sections with differing bands of amplification.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 7 and 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe '984.

With respect to claim 7, Watanabe teaches that the light from one pump source is supplied to a plurality of fibers see column 22, lines 55-66. In distributed Raman amplification gain is distributed along the length of the transmission line. It would have been obvious to one of ordinary skill in the art at the time of invention by Applicant to pump the entire length of the transmission line in order to compensate for loss along the length of the transmission line.

With respect to claim 10, Official Notice is taken that P<sub>2</sub>O<sub>5</sub> is well known as a refractive index modifying agent. It would have been obvious to dope at least one of the first and second fibers with P<sub>2</sub>O<sub>5</sub> in order to control the mode field diameter of the optical fiber.

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Akasaka et al.

Regarding claim 11, Watanabe teaches a Raman amplifier comprising:

a plurality of optical fibers which differ from each other with respect to composition; and

one or more pump light sources which supply pump light for Raman amplification.

See column 9, lines 54-67; column 22, lines 54-66; column 23, lines 1-59; column 24, lines 34-52; and figures 1, 2, 8, and 9. Watanabe teaches transmission line comprised of a series of concatenated optical fiber sections having varying mode field diameters. Mode field diameter is dependent on fiber composition. The difference in stokes shift quantity is dependent on the compositions of the optical fibers. It is inherent that for a single wavelength there will be at least two fiber sections with differing bands of amplification.

Akasaka et al teaches a Raman fiber amplifier comprising a control unit. It would have been obvious to modify the apparatus of Watanabe by adding the control apparatus of Akasaka et al. in order to allow the amplifier to compensate for dynamic input characteristics.

4. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe in view of Mollenauer et al. '452.

Regarding claim 14, Watanabe fails to teach a first and second multiplexer introducing pump light into the first optical fiber at the connection point to the second optical fiber and introducing pump light into the second optical fiber at the other end of the second fiber. Mollenauer teaches a series of optical fibers wherein a first pump light is input into a first fiber section through a coupler located between the first and the second fiber; and a second pump light is input into a second fiber section through a coupler located between at the other end of the second fiber. see figures 3 and 4. It would have been obvious to modify the apparatus of the Watanabe by providing counter propagating pump light at the end of each fiber section in order to reduce ASE.

Regarding claim 15, it would have been obvious to modify the apparatus of Watanabe by utilizing separate pump sources to pump each fiber section in order to increase gain.

***Allowable Subject Matter***

Claims 5 and 8 are allowed. See reasons for allowance in paper 9.

Claim 2 and 3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The nearest prior art is Watanabe (US 6,307,984 B1) which teaches a series of

concatenated fiber sections, but fails to disclose the limitation: wherein the difference of Stokes shift quantity of said first and second optical fibers is equal to or more than 200  $\text{cm}^{-1}$ .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen C. Cunningham whose telephone number is 703-605-4275. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 703-305-8233. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

SCC  
September 30, 2003

*T. G. Black*  
THOMAS G. BLACK  
SUPERVISORY PATENT EXAMINER  
GROUP 360